

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3106-01  
Bill No.: SB 854  
Subject: Children and Minors; Education, Elementary and Secondary; Health Care; Health Department; Health, Public; Medical Procedures and Personnel  
Type: Original  
Date: January 29, 2004

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
General	(\$7,000)	(\$7,210)	(\$7,426)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$7,000)</b>	<b>(\$7,210)</b>	<b>(\$7,426)</b>

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### **FISCAL ANALYSIS**

#### **ASSUMPTION**

Officials from the **Department of Transportation**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Department of Insurance**, the **Missouri Department of Conservation** and the **Department of Elementary and Secondary Education** assume this proposal would not fiscally impact their agencies.

Officials from the **Missouri Consolidated Health Care Plan (HCP)** state this proposal would make it unlawful for any student to attend any school unless the student has either acquired natural immunity or has been vaccinated against poliomyelitis, rubella, rubeola, mumps, tetanus, pertusis, diphtheria, and hepatitis B as required under the rules and regulations of the Department of Health and Senior Services. It is unlawful for any parent or guardian to refuse or neglect to have his child vaccinated as required by this proposal. However, a parent or guardian may object in writing to the school administrator against the vaccination of their child. A vaccination exemption form would be signed and notarized. The proposal would require funds for the administration and for the purchase of vaccines for children of families unable to afford them are appropriated to the Department of Health and Senior Services.

HCP states that they cover these childhood immunizations at 100%. Therefore, HCP assumes this proposal would have no fiscal impact.

ASSUMPTION (continued)

Officials from the **Department of Social Services (DOS)** assume this proposal allows parents to object to vaccinations for any reason, not just religious or medical contraindications. The DOS states this allows for more children to be unvaccinated, resulting in increased medical costs for treatment of preventable diseases. The DOS does not know how widespread parental objections will be under the lesser standard. The DOS notes that in a similar proposal from last year, HCP assumed that because immunizations are covered at 100%, most parents would continue to immunize their children. The DOS assumes the same will be true for the Medicaid program since immunizations are a covered Medicaid service. Therefore, the DOS assumes there would not be a fiscal impact as a result of this proposal.

Officials from the **Secretary of State Office (SOS)** assume this legislation would require the Department of Health and Senior Services, the Department of Elementary and Secondary Education, the Missouri Consolidated Health Care Plan, and the Department of Insurance to promulgate rules and regulations as they pertain to allowing parents to refuse to immunize their children without providing certain justifications. Based on prior rulemakings for these agencies, rules and forms could require as many as 29 pages in the *Code of State Regulations*. Because rules in their proposed version are also published in the *Missouri Register*, one-half again as many pages will be required to be published in this publication because of cost statements, fiscal notes, etc., which are not republished in Code. These costs are estimated. The cost per page in the Missouri Register is \$23.00; the cost per page in the Code of State Regulations is \$27.00. Actual costs may vary depending on the department and the number of rulemakings promulgated. The SOS estimates total costs to be \$1,487 in FY 2005.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Health and Senior Services (DOH)** assume this proposal would allow the parent or guardian to submit a notarized document to exempt their child from required vaccinations for school. The DOH would provide printed materials for distribution to parent/guardians.

The DOH assumes the parents/guardians would have to renew the notarized exemption annually which would require 40 hours of an FTE annually and cost \$1,067 in FY 05, \$1,093 in FY 06 and \$1,121 in FY 07. **Oversight** assumes DOH could absorb these duties. The DOH assumes it would develop, print, and distribute to schools an estimated 50,000 brochures to provide information on vaccines and cost \$7,000 in FY 05, \$7,210 in FY 06, and \$7,426 in FY 07.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
<b>GENERAL REVENUE</b>			
<u>Costs - Department of Health and Senior Services</u>			
Exemption forms and brochures	<u>(\$7,000)</u>	<u>(\$7,210)</u>	<u>(\$7,426)</u>
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE</b>	<b><u>(\$7,000)</u></b>	<b><u>(\$7,210)</u></b>	<b><u>(\$7,426)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal requires a parent or guardian to object in writing to a vaccination for their child prior to the first day the child attends school.

Within two weeks of the child attending school, the parent or guardian must submit either proof of vaccination or a notarized vaccination exemption form. The notarized vaccination exemption form will include the name of the child, a list of vaccinations to be marked for exemption, the name and signature of the parent or guardian, and verification that the parent or guardian has reviewed the appropriate materials and has made an informed decision.

Nothing in Section 167.181 shall diminish any religious freedoms protected by the Missouri Constitution and the United States Constitution.

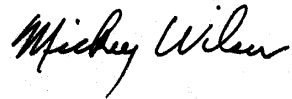
For children enrolled in day care, preschool, and nursery school, a parent or guardian may file a written objection to a vaccination. The parent or guardian can either furnish their own exemption form or use the exemption form provided by the Department of Health and Senior Services.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Elementary and Secondary Education  
Department of Transportation  
Department of Health and Senior Services  
Department of Social Services  
Missouri Consolidated Health Care Plan  
Department of Insurance  
Missouri Department of Conservation  
Department of Public Safety -  
Missouri State Highway Patrol  
Secretary of State



Mickey Wilson, CPA  
Director  
January 29, 2004